IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 4801 of 2005

Between:

Syed Rasheed, s/o Ahmed, II- Depot,

Andhra Pradesh State Road Transport Corporation,

Nizamabad.

..... PETITIONER

AND

1 Andhra Pradesh State Road Transport Corporation, Nizamabad.

rep., by its Regional Manager
2 The Depot Manager-II, Andhra Pradesh State Road Transport

corporation, Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction, especially one in the nature of writ of mandamus: i) declaring the office order No.E2/688(2)04-NZB-2 dt.31-3-2004 issued by the 2nd respondent as illegal, arbitrary and set aside the same. ii) consequently direct the respondents to provide any other suitable employment duly protecting the petitioner pay and all other service conditions w.e.f. 31-3-2004 duly granting all other consequential benefits.

Counsel for the Petitioner: MR.K.VASUDEVA REDDY

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court made the following :

ORDER:

This writ petition is filed for issuance of Writ of Mandamus declaring the Office Order

dt.31-3-2004 issued by the 2nd respondent as arbitrary and illegal.

The petitioner was working as Driver in the respondent-Corporation. When the petitioner developed eye sight, he was referred to Medical Board during January 2004. The Medical Board by an Order dated 31-3-2004 declared the petitioner unfit for the job and sent him on one-year leave with effect from 27.2.2004. After expiry of leave period when the petitioner approached the respondent corporation, he was informed that he was retired from the service. It is his grievance that he was neither paid any wages for the leave period nor provided any alternative employment. Hence this writ petition.

Heard learned counsel for the petitioner and the learned Standing Counsel for the respondent corporation.

Now a Commission has been constituted under the Persons with Disabilities (Equal Opportunities, Protection of Rights and full participation) Act, 1995, the petitioner is directed to approach the Commission and work out his remedies as available under the law.

With the above direction, the Writ Petition is disposed of. No costs.

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C.V. Ramulu, J.

28th April, 2005

Js.

To

1 The Regional Manager, Andhra Pradesh State Road Transport Corporation, Nizamabad.

2 The Depot Manager-II, Andhra Pradesh State Road Transport corporation, Nizamabad.